

109TH CONGRESS
2D SESSION

H. R. 5044

To amend the Internal Revenue Code of 1986 to allow taxpayers to designate that income tax overpayments be paid over for veterans' health benefits.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2006

Mrs. JO ANN DAVIS of Virginia introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Internal Revenue Code of 1986 to allow taxpayers to designate that income tax overpayments be paid over for veterans' health benefits.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Health Bene-
5 fits Voluntary Option Act of 2006”.

1 **SEC. 2. DESIGNATION OF INCOME TAX OVERPAYMENTS TO**
 2 **FUND VETERANS' HEALTH BENEFITS.**

3 (a) GENERAL RULE.—Subchapter A of chapter 61 of
 4 the Internal Revenue Code of 1986 (relating to returns
 5 and records) is amended by adding at the end the fol-
 6 lowing new part:

7 **“PART IX—DESIGNATION OF INCOME TAX OVER-**
 8 **PAYMENTS TO FUND VETERANS' HEALTH**
 9 **BENEFITS**

“Sec. 6097. Designation of income tax overpayments.

10 **“SEC. 6097. DESIGNATION OF INCOME TAX OVERPAYMENTS.**

11 “(a) GENERAL RULE.—Every taxpayer who makes a
 12 return of the tax imposed by subtitle A for any taxable
 13 year may designate that a specified portion (not less than
 14 \$1) of any overpayment of tax for such taxable year shall
 15 be used for health benefits provided by the Department
 16 of Veterans Affairs.

17 “(b) MANNER AND TIME OF DESIGNATION.—Any
 18 designation under subsection (a) for any taxable year shall
 19 be made—

20 “(1) at the time of filing the return of the tax
 21 imposed by subtitle A for such taxable year, and

22 “(2) in such manner as the Secretary may by
 23 regulation prescribe, except that such designation

1 shall be made either on the first page of the return
 2 or on the page bearing the taxpayer's signature.

3 “(c) TREATMENT OF AMOUNTS DESIGNATED.—For
 4 purposes of this title, the amount designated by any tax-
 5 payer under subsection (a)—

6 “(1) shall be treated as being refunded to such
 7 taxpayer as of the last date prescribed for filing the
 8 return of tax imposed by subtitle A (determined
 9 without regard to extensions) or, if later, the date
 10 the return is filed, and

11 “(2) shall be treated as a contribution made by
 12 such taxpayer on such date to the United States.”.

13 (b) CLERICAL AMENDMENT.—The table of parts for
 14 subchapter A of chapter 61 of such Code is amended by
 15 adding at the end thereof the following new item:

“PART IX. DESIGNATION OF INCOME TAX OVERPAYMENTS TO FUND
 VETERANS' HEALTH BENEFITS.”.

16 (c) EFFECTIVE DATE.—The amendments made by
 17 this section shall apply to taxable years beginning after
 18 the date of the enactment of this Act.

19 **SEC. 3. DEPARTMENT OF VETERANS AFFAIRS HEALTH BEN-**
 20 **EFITS FUND.**

21 (a) IN GENERAL.—Chapter 83 of title 38, United
 22 States Code, is amended by adding at the end the fol-
 23 lowing new section:

1 **“§ 8306. Department of Veterans Affairs Health Bene-**
 2 **fits Fund**

3 “(a) There is established in the Treasury of the
 4 United States an account to be known as the ‘Department
 5 of Veterans Affairs Health Benefits Fund’ (in this section
 6 referred to as the ‘Fund’), consisting of such amounts as
 7 may be transferred or credited to the account under this
 8 section.

9 “(b) The Secretary of the Treasury shall, from time
 10 to time, transfer to the Fund the amounts designated
 11 under section 6097 of the Internal Revenue Code of 1986.
 12 Amounts that otherwise would be appropriated for the De-
 13 partment of Veterans Affairs may not be offset by the
 14 amount of such transfers to the Fund.

15 “(c) Amounts in the Fund shall be available, as pro-
 16 vided in appropriations Acts, for purposes of providing
 17 health benefits through the Veterans Health Administra-
 18 tion.”.

19 (b) CLERICAL AMENDMENT.—The table of sections
 20 at the beginning of such chapter is amended by adding
 21 at the end the following new item:

“8306. Department of Veterans Affairs Health Benefits Fund.”.

